

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIMINAL DOCKET NO. 5:17-cr-00390
	:	
EDWIN PAWLOWSKI	:	HONORABLE JUAN R. SANCHEZ

MOTION TO CONTINUE SENTENCING

AND NOW, the Defendant, Edwin Pawlowski, by and through counsel, Jack McMahon, Esquire, hereby submits the following to request a continuation of the sentencing:

- 1) Defendant was found guilty on 03/02/2018 of numerous counts of the indictment.
- 2) The Court ordered a pre-sentence investigation and report.
- 3) Counsel first observed the report when sent by e-mail on 5/24/18.
- 4) Due to counsel's schedule, he has not had the time to fully review the 51 page report.
- 5) The report contains an in depth analysis of the guideline.
- 6) Counsel intends to fully research the guideline conclusions, file objections and file a brief supporting those objections.
- 7) In addition, the defense has filed a Rule 29 motion that, as of the writing of this motion, the government has not responded to.
- 8) Defense would like to have a hearing on these motions and a decision granting even a few of the Rule 29 requests, could have a substantial effect on the possible guideline calculation.
- 9) In addition to objections and a brief regarding the guidelines, the defense intends to submit an extensive sentencing memo for the courts consideration.
- 10) Counsel for the defendant has a jury trial in Lancaster County starting June 4, 2018 (*Commonwealth v. Crizon Kingsberry*; rape charges) and a jury trial starting June 18, 2018 in

Lehigh County (*Commonwealth v. Julian Colbert*; Aggravated Assault). Therefore, counsel since the report was just received, is going to need more time to adequately prepare for such a serious sentencing.

11) The defendant is entitled to have counsel adequately prepared and a sixty day continuance would be sufficient time to have all the issues above effectively dealt with.

12) This was a long and complex trial with complex legal issues for sentencing and there is just no way that counsel can be adequately prepared with sentencing in just a few weeks.

13) The Government has indicated that they do not object to short continuance (30 days). However, Defense Counsel is out of country from July 14th to August 4th. That is why the request of this court is still short, 60 days, but gives counsel adequate time with his schedule to effectively prepare for this type of sentencing and work that is required to do it correctly.

14) The interest of justice and effective assistance of counsel at the sentencing procedure requires the granting of a sixty day continuance.

WHEREFORE, defendant, through counsel requests the sentencing be postponed for as sixty day period.

Respectfully submitted,

Date: June 4, 2018

/s/ Jack McMahon
Jack McMahon

CERTIFICATE OF SERVICE

The undersigned hereby certify that on this date a copy of the foregoing Motion for continuance served by the Court's electronic case filing system upon the following:

Anthony Wzorek, AUSA
Michelle Morgan, AUSA
Office of the United States Attorney
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106

Date: 6/4/2018

/s/ Jack McMahon

Jack McMahon